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## PATENT APPLICATION

Serial No. 09/889,938

Attorney Docket No. 4167-011069

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit 1623

:

In re Application of

:

Kenneth RICHARDS et al.

:

**METHOD FOR CONVEYING  
BNYVV RESISTANCE TO  
SUGAR BEET PLANTS**

Serial No. 09/889,938

:

Filed December 11, 2002

:

Examiner- Not Yet Assigned

:

Pittsburgh, Pennsylvania  
November 26, 2002

RECEIVED

DEC 05 2002

TECH CENTER 1600/2900

INFORMATION DISCLOSURE STATEMENTBox DD  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to the requirements of 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby submit this Information Disclosure Statement, which includes a completed Form PTO/SB/08A, one (1) copy of the references listed thereon, and a copy of an International Preliminary Examination Report. The International Search Report for the underlying PCT Application No. WO 00/44915 identified the references listed on Form PTO/SB/08A.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on November 26, 2002

Linda C. Seger  
(Name of Representative)

Linda C. Seger  
Signature

11/26/02  
Date

{W0031056.1}

The International Preliminary Examination Report states that the prior art cited in the International Search Report neither discloses nor suggests the subject matter of claims 1-26. Consequently, novelty and inventive step can be acknowledged for the subject matter of claims 1-26.

Pursuant to 37 C.F.R. §1.97(b)(3), no fee is believed to be due for the submission of this Information Disclosure Statement, as it is being submitted before the mailing date of a first Office Action on the merits. Nevertheless, the Commissioner for Patents is hereby authorized to charge any fees which may be required to Deposit Account No. 23-0650. One (1) original and two (2) copies of this Information Disclosure Statement are enclosed.

Respectfully submitted,

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